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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,982	11/13/2003	Takeshi Ohwe	2500.68733	7338
24978	7590	06/05/2006	EXAMINER	
GREER, BURNS & CRAIN 300 S WACKER DR 25TH FLOOR CHICAGO, IL 60606			CAO, ALLEN T	
			ART UNIT	PAPER NUMBER
			2627	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/712,982	Applicant(s) OHWE ET AL.	
	Examiner Allen T. Cao	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 3-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 10 and 12 is/are objected to.
- 8) ☒ Claim(s) 1-12 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Crane et al (US. 5,774,304.

Crane et al discloses a recording medium drive (figure 1) having a recording medium (figure 1); a head slider 20 opposed to the recording medium at a front end of the head suspension 22; a load bar and a ramp member (Official Notice has been taken that the typical disk drive has a load bar and a loading ramp for the actuator); a slider body defining a medium-opposed surface hemisected into first and second areas by a centerline extending in a longitudinal direction of the slider body (figure 9).

Crane et al, figure 9, discloses that the rail (310, 316) on the right hand sided of the center line 321 is larger than the rail (312, 340) on the left hand sided of the center line 321; therefore, it inherently discloses that the left hand sided (second area) is designed to generated a positive pressure larger than a positive pressure generated at the right hand sided (first area), or vice versa, when a load acting on the slider body in a direction toward the recording medium decreases (see also column 8, lines 9-27), all as set forth in claims 1 and 2.

Regarding claims 9 and 11, Crane et al also inherently discloses that the center of a distribution of the positive pressure moves on the slider body along an "imaginary

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diagonal line" from a center of a rectangular surface of the slider body according to a decrease of the load (the reason is same as set forth in claims 1 and 2).

3. Claims 10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed 03/16/06 have been fully considered but they are not persuasive.

In the Remarks, Applicant asserts that:

"However, the Crane et al. reference is silent about a positive pressure generated on the bottom surface of the slider 300 during a decrease of a load acting on the slider 300 in a direction toward a recording medium. The slider 300 might fly with an attitude at predetermined roll and pitch angles. Under the situation, the load acting on the slider 300 should be kept constant. Consequently, the Crane et al. reference fails to disclose or even suggest the subject matter of Claim 1."

The Examiner respectfully points out that "Crane et al, figure 9, discloses that the rail (310, 316) on the right hand sided of the center line 321 is larger than the rail (312, 340) on the left hand sided of the center line 321; therefore, it inherently discloses that the left hand sided (second area) is designed to generated a positive pressure larger than a positive pressure generated at the right hand sided (first area), or vice versa, when a load acting on the slider body in a direction toward the recording medium

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decreases (see also column 8, lines 9-27)". Here, the rail (310, 316) on the right hand sided on the center line 321 is larger than the rail (312, 340) on the left hand sided on the center line 321; therefore, it inherently discloses that the left hand sided (second area) is designed to generated a positive pressure larger than a positive pressure generated at the right hand sided (first area) or vice versa whenever including when a load acting on the slider in a direction toward the recording medium decreases or increases (the air created on the two sided surface of the rail is the same; therefore, there must be one rail have more pressure than the other due to dimensions of the surfaces are different).

Therefore, the Examiner maintains the rejection is still proper.

Regarding the Applicant's argument with respect to claim 2. The Examiner also maintains the rejection is still proper as the reason same as the reason as set forth in claim 1, supra.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen T. Cao whose telephone number is (571) 272-7569. The examiner can normally be reached on Mon - Thurs (7:30 - 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Allen Cao', with a long horizontal flourish extending to the right.

Allen Cao
Primary Examiner

AC
May 29, 2006